

E-Filed on 4/16/07

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

YUXIANG XU and YING WANG,

No. C-06-07510 RMW

Plaintiffd,

ORDER DISMISSING CASE

v.


F. GERARD HEINAUER; EMILIO T.  
GONZALEZ; MICHAEL CHERTOFF;  
ROBERT S. MUELLER III,**[Re Docket Nos. 9, 11]**

Defendants.

On December 7, 2007, plaintiffs filed a petition for writ of mandamus asking this court to order the United States Citizenship and Immigration Services (USCIS) to adjudicate their I-485 applications to adjust their status to lawful permanent resident. On January 10, 2006, the USCIS approved the plaintiffs' applications. On February 6, 2007, defendants filed a motion to dismiss plaintiffs' action as moot. On February 23, 2007, plaintiffs filed a statement of non-opposition to defendants' motion to dismiss, agreeing that the mandamus action has now been mooted by USCIS's adjudication..

Accordingly, the court dismisses the case. This dismissal vacates the hearing date on defendants' motion. The clerk shall close the file.

DATED: 4/16/07

  
RONALD M. WHYTE  
United States District Judge

1 A copy of this order was mailed on 4/16/07 to:

2 **Counsel for Plaintiffs:**

3 Yuxiang Xu and Ying Wang  
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10 Counsel are responsible for distributing copies of this order to co-counsel, as necessary.

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